

**HOUSE JOINT RESOLUTION NO. 17**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KURKA

Introduced: 4/19/21

Referred: Resources, State Affairs, Judiciary

**A RESOLUTION**

1    **Proposing amendments to the Constitution of the State of Alaska amending the**  
2    **disclaimer and agreement provision and repealing the consent to act of admission**  
3    **provision.**

4    **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5        \* **Section 1.** Article XII, sec. 12, Constitution of the State of Alaska, is amended to read:

6                **Section 12. Disclaimer and Agreement.** The State of Alaska and its people  
7                **recognize that the Tenth Amendment to the Constitution of the United States**  
8                **expressly prohibits the United States from engaging in unauthorized activity,**  
9                **such as the ownership of land, natural resources, subsurface rights, waterways or**  
10               **the management thereof, except as provided in art. I, sec. VIII, clause 17, of the**  
11               **Constitution of the United States** [FOREVER DISCLAIM ALL RIGHT AND  
12               TITLE IN OR TO ANY PROPERTY BELONGING TO THE UNITED STATES OR  
13               SUBJECT TO ITS DISPOSITION, AND NOT GRANTED OR CONFIRMED TO  
14               THE STATE OR ITS POLITICAL SUBDIVISIONS, BY OR UNDER THE ACT  
15               ADMITTING ALASKA TO THE UNION]. The State and its people [FURTHER]

1       disclaim all right or title in or to any property, including fishing rights, the right or title  
 2       to which may be held by or for any Indian, Eskimo, or Aleut, or community thereof, as  
 3       that right or title is defined in the act of admission. **The State of Alaska and its**  
 4       **people dispute, do not recognize, and otherwise reject federal ownership to any**  
 5       **right or title or to any property, natural resources, subsurface rights or waterway**  
 6       **in Alaska currently under the control of the United States or subject to its**  
 7       **disposition or any authority or management thereof, except as provided in art. I,**  
 8       **sec. VIII, clause 17, of the Constitution of the United States.** [THE STATE AND  
 9       ITS PEOPLE AGREE THAT, UNLESS OTHERWISE PROVIDED BY  
 10       CONGRESS, THE PROPERTY, AS DESCRIBED IN THIS SECTION, SHALL  
 11       REMAIN SUBJECT TO THE ABSOLUTE DISPOSITION OF THE UNITED  
 12       STATES. THEY FURTHER AGREE THAT NO TAXES WILL BE IMPOSED  
 13       UPON ANY SUCH PROPERTY, UNTIL OTHERWISE PROVIDED BY THE  
 14       CONGRESS. THIS TAX EXEMPTION SHALL NOT APPLY TO PROPERTY  
 15       HELD BY INDIVIDUALS IN FEE WITHOUT RESTRICTIONS ON  
 16       ALIENATION.]

17       \* **Sec. 2.** Article XII, sec. 13, Constitution of the State of Alaska, is repealed.

18       \* **Sec. 3.** The amendments proposed by this resolution shall be placed before the voters of  
 19       the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the  
 20       State of Alaska, and the election laws of the state.